
Appeal Decision

Site visit made on 17 May 2017

by S J Lee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5th June 2017

Appeal Ref: APP/E2001/S/17/3168838

6 Pasture Terrace, Beverley HU17 8DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Ray Riley against the decision of East Riding of Yorkshire Council.
 - The application Ref DC/16/03285/PLF/EASTSE PP-05524878, dated 3 October 2016, was refused by notice dated 22 December 2016.
 - The development proposed was originally described as "small first floor extension with proposed roof terrace".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Beverley Conservation Area (BCA).

Reasons

3. The appeal site is a mid-terraced two storey dwelling located within the BCA. The dwelling has only a small rear yard and backs onto a narrow alley which separates it from the rear of properties along Willow Grove. There is a range of rear extensions to properties in both rows which are of different scales and heights, but which still generally maintain a similar overriding character in terms of materials and form.
 4. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 134 of the Framework confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. These requirements are reflected in Policy ENV3 of the East Riding Local Plan Strategy Document (2016) (LP).
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5. The proposal comprises of two distinct elements. The first is a small first floor extension which would have a sloping roof projecting from the rear wall of the house. The Council raises no concerns with this element and I am satisfied that by virtue of its form and materials it would not be out of keeping with the character of the terrace and the variety of extensions already in view.
6. The second element is a roof terrace. The appellants have indicated that as the scheme evolved, the terrace was reduced in size from the original submission. The amount of glazing was also reduced and replaced, in part, by brick work. Nonetheless, the front elevation of the terrace would still be 1.8m tall and made up predominantly of obscured glazing, with a brick wall of similar height to one side. The roof terrace would also project beyond the first floor extension.
7. The installation of a french door into the rear elevation and the preponderance and prominence of the relatively tall obscured glazing would not complement the traditional character of this terraced dwelling or that of the rest of the row. The height of the brickwork and glazing would enclose the terrace and create a somewhat bulky and boxy structure. Notwithstanding the variety of extensions that already exist, this would still be an uncharacteristic alteration and would result in an unduly discordant and jarring feature in the row. As such, the roof terrace would appear as an unsympathetic addition to the host building that would detract from its existing character and appearance.
8. Whilst I recognise that publically accessible views of the development would be limited, the incongruous nature of the development would still be readily apparent from the private views of nearby residents and users of the alley. I find therefore that the development would unacceptably harm the character of the host building and consequently would fail to preserve or enhance the character and appearance of the BCA. The harm to the significance of the BCA would be less than substantial. However, whilst the development would provide additional living and amenity space for the occupant, the benefits of this are private in nature and thus do not weigh in favour of the development in this context. No other public benefits have been put forward.
9. Accordingly, the development would conflict with LP Policy ENV1 which seeks, amongst other things, to ensure development has regard to the character of the surrounding area and is appropriate in terms of height and materials. Though not referred to in the Council's decision notice, the development would also conflict with LP Policy ENV3 in that the public benefits of the development would not outweigh the harm caused to the significance of the heritage asset. In this regard, the development would also conflict with paragraph 131, 132 and 134 of the Framework. The development would also conflict with paragraph 64 in that it would be of a poor design that fails to take the opportunity to improve the character and quality of an area.

Other Matters

10. The appellants have drawn my attention to an example of a roof terrace on Willow Grove which is visible from Holly Bush Way. I recognise that this is on the end of the terrace and is more prominent than the appeal scheme. Nonetheless, there are clear differences between the two schemes in terms of the nature of the enclosure and resulting appearance, particularly in relation to the use of railings rather than tall and enclosing obscured glazing and brickwork. This results in a feature that has a different effect on the character

and appearance of its host building and the wider area than the appeal proposal. Thus the two proposals are not entirely comparable. This example does not therefore lead me to alter my overall conclusions over the nature of the appeal proposal. In any event, I have considered the appeal on its own merits.

11. Whilst the overall dimensions of the roof terrace may be consistent with the Council's requirements for rear extension, and the use of obscured glazing and brick wall would adequately protect the living conditions of neighbouring occupants, the resulting form and appearance of the terrace would be not be appropriate in this location. I have also noted the letters of support for the proposal. However, these factors do not outweigh my overriding concerns over the adverse impact of the development.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR